

Message Text

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PAGE 01 SEOUL 03470 280918Z

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 TRSE-00 DHA-02 /057 W

-----280936Z 025667 /17

R 280802Z APR 77

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 3545

C O N F I D E N T I A L SEOUL 3470

E.O. 11652: XGDS-4

TAGS: PINT KS

SUBJ: KIM OK-SUN LOSES TWO COURT CASES

1. DURING PAST WEEK, FORMER NDP NATIONAL ASSEMBLYWOMAN KIM OK-SUN HAS LOST APPEALS ON TWO DIFFERENT COURT CASES. ON APRIL 21, COURT RULED THAT IT AGAIN CHOSE TO SUSPEND JUDGMENT ON HER NINE YEAR OLD CUSTOMS CASE (A MINOR HARRASSMENT) BUT ON APRIL 21, COURT UPHELD VERDICT OF HER ELECTION LAW VIOLATION AS WELL AS HER SUSPENDED SENTENCE OF A ONE YEAR PRISON TERM. SHE HAS BEEN APPEALING SECOND CASE FOR SOME TIME BUT COURTS FIXED HEARING SOONER THAN SHE HAD EXPECTED.

2. DURING APRIL 26 SESSION, COURT BY-PASSED ALL NEW COURT CASES LISTED ON DOCKET, A BREAK IN PRACTICE AND TRADITION, AND TURNED IMMEDIATELY TO MS. KIM'S CASE. ALTHOUGH SHE PROTESTED HER FOUR LAWYERS WERE IN AREA BUT NOT YET PRESENT IN COURTROOM, JUDGE REFUSED TO GRANT HER ANY DELAY.

3. SHE INDICATED TO EMBOFF THAT ONE OF HER STRONGEST POINTS OF APPEAL WAS THAT ONE YEAR IMPRISONMENT WAS RATHER SEVERE SENTENCE FOR CHARGE THAT SOME OF HER SUPPORTERS ALLEGEDLY INTERFERRED WITH ROKG PERSONNEL'S
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ACCESS TO VOTING AREAS ON ELECTION DAY. JUDGE RESPONDED THAT TRIAL COURT HAD SUSPENDED YEAR SENTENCE WHICH WAS REASONABLE ATTEMPT TO REDUCE ITS FORCE.

4. COMMENT: IF SUPREME COURT DENIES HER ANTICIPATED APPEAL WITHIN NEXT SEVEN DAYS SET BY LAW FOR SUCH APPEAL, SHE WILL NOT GO TO JAIL BUT WILL BE EFFECTIVELY BLOCKED

FROM RUNNING FOR VACANT SEAT IN CHONGNO-CHONG BY-ELECTION.
NDP ASSEMBLYMEN CONTACTED BELIEVE SHE WOULD HAVE EXCELLENT
CHANCE OF WINNING BY CONSIDERABLE MARGIN. ONE KEEN NDP
OBSERVER, NOTING MS. KIM'S GREAT POPULARITY, SAID THAT
WERE SHE TO RUN IN CHONGNO SHE WOULD WIN IN A WALK.

5. MS. KIM PRIVATELY TOLD EMBOFF SHE CONSIDERS HER
MEETING WITH SALZBERG IMPETUS FOR REVIVAL OF FIRST
COURT CASE AND TIMING OF SECOND BUT OBSERVERS, WHO DO
NOT KNOW OF HER MEETING WITH SALZBERG, THINK GOVERNMENT
IS ONLY TRYING TO ELIMINATE CANDIDATE DANGEROUS TO ITS
INTERESTS.
SNEIDER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
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Concepts: COURT DECISIONS
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: n/a
Enclosure: n/a
Executive Order: X4
Errors: N/A
Expiration:
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From: SEOUL
Handling Restrictions: n/a
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Original Previous Handling Restrictions: n/a
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Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
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Review Action: RELEASED, APPROVED
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2902490
Secure: OPEN
Status: NATIVE
Subject: KIM OK-SUN LOSES TWO COURT CASES
TAGS: PINT, KS, (KIM OK-SUN)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/c85e79aa-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009